

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEMARCUS MCGAUGH,

Defendant.

**8:23CR91**

**ORDER**

This matter is before the Court on Defendant's MOTION TO EXTEND PRETRIAL MOTION DEADLINE [17]. The Court notes that a jury trial as to this defendant is set for July 17, 2023, before Chief District Judge Robert F. Rossiter, Jr., however, for good cause shown I find that the motion should be granted. Defendant will be given an approximate 60-day extension. Leave is given to file pretrial motions on or before August 7, 2023. Accordingly,

**IT IS ORDERED:**

1. Defendant's MOTION TO EXTEND PRETRIAL MOTION DEADLINE [17] is granted. Pretrial motions shall be filed on or before August 7, 2023.
2. Defendant's jury trial scheduled for July 17, 2023, is cancelled, and shall be rescheduled upon the expiration of the August 7, 2023, pretrial motion filing deadline.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between June 7, 2023, and August 7, 2023, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 14th day of June, 2023.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge